

AMENDED IN ASSEMBLY APRIL 4, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL

No. 1607

Introduced by Assembly Member Houston

February 22, 2005

An act to amend ~~Section 4850~~ *Sections 4859 and 4860* of the Welfare and Institutions Code, relating to developmental services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1607, as amended, Houston. Developmental disability: habilitation services.

~~Existing law establishes programs relating to persons with developmental disabilities. Existing law declares that it is the intent of the Legislature that habilitation services be provided to adults with developmental disabilities.~~

~~This bill would make technical, nonsubstantive changes to this provision.~~

Existing law establishes the Habilitation Services Program under the administration of the Department of Rehabilitation, and on July 1, 2004, transferred the administration of this program to the State Department of Developmental Services. Existing law requires the State Department of Developmental Services to adopt those work activity program rates in effect as of July 1, 2004, to remain in effect until the next ratesetting year.

This bill would instead require the State Department of Developmental Services to adopt work activity program rates as established by the Department of Rehabilitation as of June 30, 2003, to remain in effect until the next ratesetting year.

Existing law establishes the hourly rate for supported employment services provided to clients receiving individualized services and for group services under the program.

This bill would increase the hourly rate for supported employment services provided to clients receiving individualized services and group services under the program.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 4850 of the Welfare and Institutions~~
2 ~~Code is amended to read:~~

3 ~~SECTION. 1. Section 4859 of the Welfare and Institutions~~
4 ~~Code is amended to read:~~

5 4859. (a) The department shall adopt regulations to establish
6 rates for work activity program services subject to the approval
7 of the Department of Finance. The regulations shall provide for
8 an equitable and cost-effective ratesetting procedure in which
9 each specific allowable service, activity, and provider
10 administrative cost comprising an overall habilitation service, as
11 determined by the department, reflects the reasonable cost of
12 service. Reasonable costs shall be determined biennially by the
13 department, subject to audit at the discretion of the department.

14 (b) The department shall adopt ~~the existing work activity~~
15 ~~program rates as of July 1, 2004~~ work activity program rates as
16 established by the Department of Rehabilitation as of June 30,
17 2003, that shall remain in effect until the next ratesetting year.

18 (c) Notwithstanding paragraph (4) of subdivision (a) of
19 Section 4648, the regional center shall pay the work activity
20 program rates established by the department.

21 ~~SEC. 2. Section 4860 of the Welfare and Institutions Code is~~
22 ~~amended to read:~~

23 4860. (a) (1) The hourly rate for supported employment
24 services provided to consumers receiving individualized services
25 shall be ~~twenty-seven~~ twenty-eight dollars and ~~sixty-two~~
26 ~~thirty-three cents (\$27.62)~~ (\$28.33).

27 (2) Job coach hours spent in travel to consumer worksites may
28 be reimbursable for individualized services only when the job
29 coach travels from the vendor's headquarters to the consumer's

1 worksite or from one consumer's worksite to another, and only
2 when the travel is one way.

3 (b) The hourly rate for group services shall be ~~twenty-seven~~
4 ~~twenty-eight~~ dollars and ~~sixty-two~~ *thirty-three* cents ~~(\$27.62)~~
5 ~~(\$28.33)~~, regardless of the number of consumers served in the
6 group. Consumers in a group shall be scheduled to start and end
7 work at the same time, unless an exception that takes into
8 consideration the consumer's compensated work schedule is
9 approved in advance by the regional center. The department, in
10 consultation with stakeholders, shall adopt regulations to define
11 the appropriate grounds for granting these exceptions. When the
12 number of consumers in a supported employment placement
13 group drops to fewer than the minimum required in subdivision
14 (r) of Section 4851 the regional center may terminate funding for
15 the group services in that group, unless, within 90 days, the
16 program provider adds one or more regional center, or
17 Department of Rehabilitation funded supported employment
18 consumers to the group.

19 (c) Job coaching hours for group services shall be allocated on
20 a prorated basis between a regional center and the Department of
21 Rehabilitation when regional center and Department of
22 Rehabilitation consumers are served in the same group.

23 (d) When Section 4855 applies, fees shall be authorized for the
24 following:

25 (1) A two hundred dollar (\$200) fee shall be paid to the
26 program provider upon intake of a consumer into a supported
27 employment program. No fee shall be paid if that consumer
28 completed a supported employment intake process with that
29 same supported employment program within the previous 12
30 months.

31 (2) A four hundred dollar (\$400) fee shall be paid upon
32 placement of a consumer in an integrated job, except that no fee
33 shall be paid if that consumer is placed with another consumer or
34 consumers assigned to the same job coach during the same hours
35 of employment.

36 (3) A four hundred dollar (\$400) fee shall be paid after a
37 90-day retention of a consumer in a job, except that no fee shall
38 be paid if that consumer has been placed with another consumer
39 or consumers, assigned to the same job coach during the same
40 hours of employment.

(e) Notwithstanding paragraph (4) of subdivision (a) of Section 4648 the regional center shall pay the supported employment program rates established by this section.

~~4850. (a) The Legislature reaffirms its intent that habilitation services for adults with developmental disabilities should be planned and provided as a part of a continuum and that habilitation services should be available to enable persons with developmental disabilities to approximate the pattern of everyday living available to nondisabled people of the same age.~~

~~(b) The Legislature further intends that habilitation services shall be provided to adults with developmental disabilities, as specified in this chapter, in order to guarantee the rights stated in Section 4502.~~